



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

“Richard Agnes, preist, reteyned by the whole city in generall, who doth dwell in the new buyldinge of Alexander Brewers of Waterford, merchaunt, who sometymes professed religion, and now revolted.

“Thomas Wadding, counsellor att law, dothe reteyne in his howse one Kealinge, a preist.

“Lett Mr. John Leynard and Mr. Patrick Dwyn (?) of Waterford, the Threasurer of the same and the [blank in MS.] Sir William Fele, preist, John Cuffe, merchant, and Thomas Bennett, clerke, be examined of the premisies, whoe doe know of the wickednes comitted by the aforementioned parties.

“This speycall note I thought to add to such other notes of the like nature as I did deliver to your honours, to the ende that the same meight be sent to to the L. Deputy by Richard Power, gent., whoe is very willinge and able to enforme his L. of many great matters towching the like and other necessary things for the reformation and quietnes of that country, whom I besече your ho. to send awaye with expedycion, for I hope that the L. Deputy will gett good servyce within fewe dayes by the said Richard his dilligence.”

The following papers were then submitted to the Meeting.

---

## THE RECORDS OF THE ANCIENT BOROUGH TOWNS OF THE COUNTY OF KILKENNY.

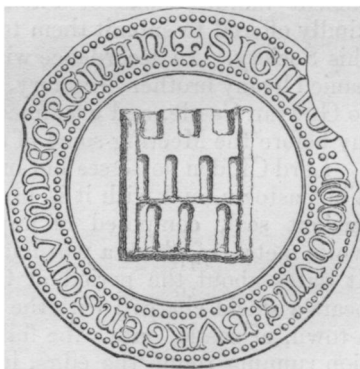
BY THE REV. JAMES GRAVES, A.B.

NEXT in importance to the records of the State must be placed the archives of the municipalities, which it was ever the policy of the English Crown to erect as a balance to the feudal power of the nobles, and as a means to encourage trade and commerce. The former supply the bold and unerring outlines of the historic picture; the latter afford many a graphic detail. Of course, it is not in every instance that the municipal archives equally reward the explorer's pains, being frequently a mere record of names and dates (in themselves, however, not without local interest), but even the most dry and meagre amongst them rarely fails to afford some trait of the men and manners of the period, which it is worth while to preserve; and in many cases they abound in interesting and graphic details. The natural, and perhaps pardonable vanity of the men who felt themselves to be clothed in a “little brief authority,” yearned to place on record the wisdom which they flattered themselves they possessed, or prompted the perpetuation of the memory of some benefit, real or supposed, conferred on the body politic. Hence, the laws for the regulation of the “community” with which the more ancient municipal records abound, and the testimony they bear to the erection, repair,

and, alas! too often the demolition of some public building or monument. As a rule, it may be asserted, that the more ancient the record or minute-book of the municipality, the more rich the mine of historic materials it will afford. As the communities lost their importance, the display of civic wisdom becomes more rare—the modern books supplying little beyond the names and dates of officers elected to serve the public, either in the Parliament of the State, or the civic body.

In a paper communicated to this Society some time since (vol. i. p. 427, first series), Mr. Prim has traced the history of the corporate records of the city of Kilkenny from the earliest period to which they refer down to the present day, showing that all of any consequence (with the exception of one precious volume, the “Red Book”) have been preserved, and are in the safe keeping of that most worthy and efficient officer, the present Town Clerk of Kilkenny. What Mr. Prim has effected for the chief municipality of the county, I purpose, so far as the information I can command will allow me, to undertake with reference to the five borough towns which received charters from James I., and returned members to the Irish Parliament, down to the period of the Union, viz. Thomastown, Gowran, Callan, Knocktopher, and Innistiogue. It is true that the towns of Jerpoint, Rosbercon, and Kells, in ancient times, received charters from the king, or from the feudal lords who held the tract of country which surrounded them, but, not having been subsequently recognised by the Crown, and not having preserved their ancient corporate organization to modern times, none of their municipal records have come down to our days.

Thomastown, and its alias, baile-mic-Anróim—the first, the name used by the English, and the second by the Irish-speaking natives of the place—preserve the Christian name and surname of Thomas Fitz-Anthony, its founder, and the lord of the manor of Grenan. Indeed, the name by which the municipality was originally incorporated was derived from this castle and manor of its feudal sovereign, for it is termed Grenan in the charter granted to the town by Thomas Fitz-Anthony, and also on an impression of the ancient seal of the town, still preserved in the Ormonde Evidence Chamber, bearing the following inscription, SIGILLVM COMMUNE BURGENSIVM DE GRENAN. The style of this seal and the form of the letters (old Lombardic) may be seen from the accompanying engraving.



Its date must be early in the thirteenth century, probably contemporary with Fitz-Anthony, who was Seneschal of the Liberty of Leinster, before it was partitioned amongst the daughters of the last Earl Mareschal. The name of Grenan, however, seems to have been gradually laid aside, the town receiving several charters from the Crown, which are of record amongst the national muniments both in London and Dublin, in most of which Thomastown is the denomination given to the town—some charters, as that granted by Queen Mary, using the alias of Grenan.

That the burgesses of Fitz-Anthony's municipality recorded their doings, and exercised their collective wisdom in the framing of by-laws for the government of the town, there was little reason to doubt, but every search after the whereabouts of the minute-books for a long period proved ineffectual. Town commissioners not having been appointed in Thomastown under the Municipal Reform Act, when the old Corporation expired there was not any public body authorized to receive the records of the borough, and, on inquiry made, I was informed by Mr. Muggeridge, then agent to Lord Clifden (the "proprietor" of the Corporation at the time of the Union), that he was unaware of the existence of any ancient records connected with the town. So matters rested until, at the death of the late Sydenham Davis, Esq., the last sovereign under the old regime, I was enabled to consult the modern minute-book of the Corporation which had remained in his possession, and, as will be subsequently seen, found there little to repay my scrutiny. However, the gentleman who now represents Lord Clifden in the county of Kilkenny, Edward Golding, Esq., J.P., having become a Member of this Society, and wishing to give every aid in his power to local antiquarian investigation, unsolicited, made search amongst the records committed to his care, and having discovered some of the ancient minute-books of Thomastown, Gowran, and Callan, he kindly offered to submit them to the inspection of the Secretaries of this Society. In accordance with Mr. Golding's invitation, accompanied by my brother Secretary, Mr. Prim, I went a short time since to Gowran Castle, and examined the documents. I now proceed to lay before the Meeting some of the results of our investigation.

Lord Clifden possesses but one minute-book of the Corporation of Thomastown, and with it is preserved a small ancient seal, composed of impure silver, or white metal, of which a woodcut is here given. It dates about the period of Charles I., and bears a shield charged with the iron grating of a town, or castle, gate—the following inscription running round the edge, in small Roman capitals, THE ARMES OF THE CORPORATION OF THOMASTWNE. The book of the Corporation of Thomastown



in Mr. Golding's custody is begun at both ends, opening at either side with the date 1693. The first page, at one end, commences with an entry in which the form of the oath of fidelity is set out, followed by several oaths of office; to which are subscribed the signatures of Christopher Hewitson, sovereign of Thomastown for the year 1693, and of all the burgesses and freemen. These are followed by numerous entries of admissions of persons, from time to time, to the freedom of the borough, and the first entry which takes place in the form of regular minutes of proceedings bears date 29th September, 1707, when the swearing-in of the sovereign for the year is recorded; this is followed by the proceedings of a court leet, held before the sovereign, Joseph Robbins, Esq., and the recorder, Christopher Hewitson, Esq., bearing date 14th October, 1707. The subsequent entries refer almost exclusively to admissions of freemen, and the last date is 25th June, 1727.

Turning to the other end of the book, the first entry is that of the holding of a court on the 29th September, 1693, at which Joseph Robbins was sworn sovereign (apparently in succession to Christopher Hewitson), and William Millbanke, portrieve. Regular entries of the swearing-in of sovereigns and portrieves, but recording no proceedings of the slightest importance or interest, follow, to the year 1702, after which some blank leaves occur, and then succeeds a minute of the proceedings of a jury empannelled to inquire into certain "enormities committed within this Corporation," which brings us back to the 26th July, 1698. The nature of the "enormities" is not stated, and the next entry is the election of the sovereign for the year 1709. In fact, the clerk seems to have entered everything up and down, very nearly at random, for, having carried on the record of the election of sovereigns from 1709 to 1723, without interruption, he makes a note of a coroner's inquest on the body of a child, found drowned in the river Nore, on the 8th April, 1694, there being, however, nine blank leaves between. The proceedings of the courts leet, and the elections of sovereigns and of representatives to serve in Parliament for the borough, are then regularly carried forward from the 17th October, 1693, to 29th September, 1743, which is the latest date recorded.

We can gather from the nature of the entries, that at the period during which they were made, Thomastown was not governed in the manner usual in boroughs regularly incorporated by royal charter. In place of the sovereign and council of chief burgesses ordering and directing all the affairs of their municipality by the passing of by-laws at meetings of their body, the custom seems to have been to empanel a jury at a court leet, who decided as to the requirements of the town, and made presentments of them, apparently with the view of their being sanctioned and given the force of law by the approval of the lord of the manor. This inference

is to be drawn from the form in which the jury passed their resolutions: thus, on the 14th of October, 1707, it is entered, that they “humbly submit” William Walsh is a proper person to fill the office of pound-keeper, he having been chosen to that office “by the body of this Corporation;” and they “humbly think” that Patrick Cantwell and Edmond Delany are fit and proper persons to be appointed constables for the ensuing year. The term “we present” is, however, more often used, and occasionally it is declared, that “it is this day ordered” that certain levies be made on the inhabitants for public purposes. One entry styles those making the order “the grand jury and body politic of the Corporation.” The entry is as follows:—

“Curia tent. 8bris 17°. 1693°.

“It is this day ordered by the Grand Jury and the bodie politike of this Corporation, that forty shillings be raised of this Corporation, and the Liberties thereof immediately, for to repair the market house.”

At the same time a Bristol barrel and other measures were ordered to serve as standards for the market.

Records of this kind usually serve to throw much light on the state of trade and commerce of the community at the period to which they belong; but there is little in this book to satisfy inquiries on that subject. That the Corporation looked to the regulation of the markets is obvious from the above entry and one or two others. At a court held on the 29th November, 1698, it was determined that tolls and customs should be taken for all goods going into their town for sale “precisely as in Kilkenny city; and that no goods be bought till brought to the market.” However, it was probably found that such charges tended to injure the market, for on the 18th October, 1715, another jury found as follows:—

“We present that all persons shall have libertye to buye and sell Custome free on every markitt day (being Munday) for one year, and that no actions shall be issued on the said day within this Corporation against any p’son y<sup>t</sup> shall come to buy or sell in y<sup>e</sup> s<sup>d</sup> markitt.”

It was still found necessary to lay on a tax somewhere to repair the pavements injured by the traffic, and so it appears to have been inflicted on the carmen of the town, the same jury thus presenting:—

“We present that the carrmen within this Corporation shall paye one penny each carrman to Edmond Cullyn for mending the breaches in Logan-street, and the said Edmond Cullyn does ingadge to finish y<sup>e</sup> same effectually.”

A more general reparation of the streets was found necessary in some years after, and, under the date 8th February, 1725, we have the following:—

“Wee present that each of the inhabitants within the said Corporation Doe forthwith pave before each of their holdings in length according to the same holding and in breath three yards, under the forfeiture in the statute in that case made and provided, to be levied on each person failing herein.”

There were probably several trades' guilds, incorporated by charter from the sovereign and burgesses of the town; but from this book we only trace the existence of one, the Company of Coat-men, which, however, tends to show that a large traffic was at the time carried on by the transit of goods from Ross to Thomastown, *en route* for the market of Kilkenny, and *vice versâ*, by means of small boats, called cots,<sup>1</sup> plying on the Nore. Under the date 14th October, 1707, it is stated that a charter had been granted to the “Company of coat-men,” empowering them to choose a master every year to be their director, and make such acts and laws as might be proper for the regulation and benefit of their body, and they had accordingly chosen Christopher Hewitson, Esq., as their master; but some of them having violated the rules which he had made, it was resolved that they should be forgiven for the time; but if they again transgressed, the fines laid down should be levied against them.

Some evidence is afforded of a desire to attend to sanitary regulations. On the 25th October, 1699, it was ordered that “one shilling be taken, by way of distress or otherwise, from every townsman that keeps a dunghill on the pavements of the street longer than untill the next court day.” A small stream then ran through the centre of the main street of Thomastown, which has since been arched over and concealed from view—a work which was carried out within the memory of some of the inhabitants still living. In the olden time the presence of this stream seems to have been prized as an acquisition to the town, and care was taken to keep it clear from pollutions, and the water fit for use. On the 14th October, 1707, a jury made this presentment:—

“We humbly thinke fitt y<sup>t</sup> y<sup>e</sup> brooke leading through this town should be cleansed by the inhabitants, one out of a house, and y<sup>t</sup> by the first of gber next.”

Again, on the 11th October, 1720, it was presented—

“That any person that shall be found wasting or in any ways dirting the brook running thro the streets of y<sup>e</sup> Corporation shall pay the sum of two pence, by distress.”

<sup>1</sup> Cots are still used on the tidal and upper waters of the Nore, Suir, and Barrow. They are narrow, flat-bottomed boats, generally from 15 to 20 feet in length, and sharp at both ends. They are propelled by a pole in shoal water, and by a paddle, of peculiar

shape, in the deeper parts of the river. A skilful cot-man will guide his frail boat, with perfect safety, either up or down the most turbulent portions of the stream. These cots are now generally used in fishing for salmon with nets. Cot, in Irish, means a small boat.

On the same occasion the jury presented—

“That every owner (after the 20th day of October) of a hog or hogs within y<sup>e</sup> Corporation y<sup>t</sup> shall leave y<sup>e</sup> s<sup>d</sup> hog or hogs unwrung shall pay y<sup>e</sup> s<sup>u</sup>me of one shilling by impounding y<sup>e</sup> s<sup>d</sup> hogs till y<sup>e</sup> s<sup>d</sup> s<sup>u</sup>me of one shill’ be p<sup>d</sup> by such owner, so as to be payed in three days.”

Fines were not the only punishments inflicted by the Corporation. The sovereign had other means of dealing with more serious offenders against the common-weal than those who merely fouled the brook, kept their pigs unrun, or did not comply with the regulations of the master of the Company of Cot-men. So much is apparent from the following entries:—

“25 die 8bris 1699—It is this day ordered that two shillings and six pence be raised of the town and liberties to put the stocks and whipping post in order.”

“11 die Oct. 1720—Wee present ye sum of five pounds ten shillings sterling to be raised on the Corporation of Thomastown and Liberties thereof, for the building a parish pound in the s<sup>d</sup> Corporation, as also to erect and build a payr of stocks & whipping post for the use of the said Corporation. The s<sup>d</sup> work to be done by the fifth of April next; the money to be forthwith raised—Christopher Hewitson, jun., Esq<sup>r</sup>o, and John Nixon, gentleman, to be overseers of the said work.”

We may also gather from the following presentment, made on the 16th February, 1716, that an armed guard was maintained for the defence of the town and the protection of the community:—

“We present that four shill’ be raised on the inhabit<sup>s</sup> of this Corporation for a grate for the guard-house, and that two shill’ each week be levyd of the s<sup>d</sup> inhabts. for firing for y<sup>e</sup> s<sup>d</sup> guard-house.”

There are numerous undertakings entered into by persons elected from time to time as members of Parliament for the borough, that they will not seek any remuneration for their services from the Corporation or constituency. The most early of these entries bears date in the year 1695, and is thus set out in due form, and signed and witnessed:—

“We, the undernamed, being unanimously chosen to serve this Corporation as Burgesses in the Parliament to be held at Dublin the 27th day of August next, do hereby, of our own voluntary act discharge this Corporation of all salary, allowance or demands whatsoever, on account of our attending their service in Parliament, so long as we or either of us shall attend the same.

“Witness our hands and seals this

30th of July, 1695,

“In the presence of  
AMYAS BUSHE, Sovereign.  
HENRY WEMYS.”

“CHRISTOPHER HEWITSON.  
“ARTHUR BUSHE.

A mace was one of the necessary insignia of office in every municipality; it was generally of silver, and so was apt to excite the cupidity of thieves. A random jot made by the town-clerk in one of the fly-leaves of the book gives us a curious glimpse of the dilapidated state of the mace belonging to this Corporation in the beginning of the second quarter of the last century. The entry, which is dated February 8th, 1725, runs as follows:—

“ There is now of<sup>1</sup> y<sup>e</sup> top of meace  
6 crossis and 5 Flower de lusiis.”

The town mace, thus mutilated nearly a century and a half since, is not now in existence.

The minute-book of the Corporation of Thomastown which remained in the possession of the late Mr. Sydenham Davis at the time of his death, commences with an entry dated 3rd April, 1752, and ends with an entry bearing date the 29th September, 1840, which is a record of the re-election that day of Mr. Davis himself as sovereign of the town. The book contains little of interest, being confined to dry entries of the elections of municipal officers and members of Parliament for the borough previous to the passing of the Act of Union.

The Corporation of Gowran, or, as it was anciently termed, Ballygaveran, is as old, if not older, than that of its neighbour municipality, founded by Fitz-Anthony, having received its early incorporation from Theobald Fitz-Walter, first Butler of Ireland, in the reign of John. Carte has preserved the charter of Fitz-Walter in his Introduction to the “History of James Duke of Ormond,” and the charters granted to the town by several of the sovereigns of England remain of record, the last, apparently, being that granted by James I. The more ancient minute-books of the Corporation have shared the same fate as those of Thomastown, the earliest in Lord Clifden’s possession commencing with an entry, dated 3rd May, 1687, being a formal act of surrender, by the Corporation, of its charters, liberties, &c. to James II., addressed, in very submissive terms, to Tyrconnell, then Lord Lieutenant of Ireland, and signed, *inter alios*, by Charles Agar. James, however, does not appear to have granted a charter to the borough. The next entry indicates the commencement of the new regime, for at a court, held on the 6th of October, 1690—

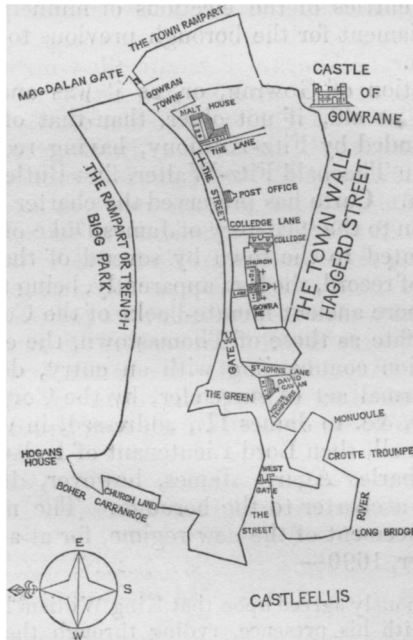
“ It was unanimously agreed upon that King William having honoured this Corporation with his presence, ryding through the same after the rout of the Boyne, and deliveryng the rod and mace of the said Corporation to Charles Agar, one of our ancient Burgesses, that therefore wee elect the said Charles Agar to be our portrieve for the ensuing year.”

<sup>1</sup> “Of” is here written for “off,” a form which frequently occurs throughout the book.

The remainder of the book contains little of interest beyond the mere election of municipal officers and members of Parliament.

The second minute-book of the Corporation, in Mr. Golding's keeping, commences with the date of June 26, 1736, and ends with that of June 25, 1827. Its contents are similar to those of the first book, and tell us very little of the corporate proceedings beyond the election of officers, &c. We learn from it that there was a "tholsel" in the town, and that public notices were posted on the "market cross" up to 1746. There is also an entry which at the present day is of some interest, namely, the election of "the Rev. Dr. John Pelissier and Charles Pelissier" as freemen, on August 10, 1748, possibly some Huguenot refugee members of the family which has produced the celebrated Marshal of France, at present in command of the French army in the Crimea.

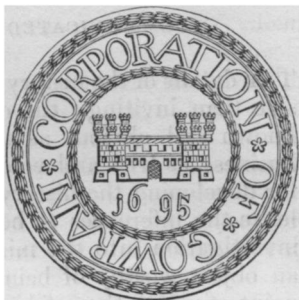
Amongst the Clifden papers is also preserved an ancient map of Gowran, which shows the extent of the walls of the town, the positions of the gates and market cross, and also of the college endowed



there by one of the Earls of Ormonde in ancient times. The map is dated March, 1710. The Society is indebted to Mr. Edward Taylor, C.E., for the fac-simile of this interesting record, which has been engraved for these pages on a reduced scale. This map is also of

interest as indicating the position of the castle of Gowran, the first seat of the Ormonde family in the county of Kilkenny, which is now razed to the ground.<sup>1</sup>

Accompanying the books of the Corporation there is preserved a brass seal, engraved with a castle, and the date 1697, and round the edge this inscription, in large Roman capitals, CORPORATION OF GOWRAN. On the stem of the seal is engraved, "Charles Ager, Portrife." The accompanying woodcut represents this seal.



On a future occasion I purpose taking up the history of the corporate records of Callan, Innistiogue, and Knocktopher; and whilst expressing my thanks to Mr. Golding for his kindness in affording me access to the documents in his keeping, I trust I will not in vain express a hope, that the gentlemen who may be possessed of the ancient manuscripts of the two last named towns (I have already examined the records of Callan in keeping of the Town Commissioners and Mr. Golding) will kindly allow me to inspect them. I should say, that through the kindness of the late Thomas Innes, Esq., I was, by Colonel Tighe's permission, enabled to consult the latest minute-book of the Corporation of Innistiogue. Perhaps there may also, as in the case of Thomastown, be a more ancient minute-book of Innistiogue: if so, I am sure our patron, Colonel Tighe, will give every facility for its examination. Of the records of Knocktopher I, at present, know nothing. I perceive by the Report of the Commissioners on the Municipal Corporations in Ireland, issued in 1835, that the compensations granted at the period of the Union to the "proprietors" were divided between Sir George Shee, Bart., and Sir Hercules Langrishe, Bart.—the latter, however, receiving the larger share, as being owner of the town. If Sir Richard Langrishe possesses its ancient records, I am sure he will allow them to be examined.

<sup>1</sup> The original map gives the boundaries of several properties, and has houses marked along the streets. In the copy made by Mr. Taylor the principal objects alone are given. The following is written on the margin of this map:—

"A Survey of the Towne and Lands of Gowrane in the County of Kilkenny belonging to M<sup>r</sup> Lewis Chaigneau of Dublin Merch<sup>t</sup> made in the presence of M<sup>r</sup> David Chaigneau M<sup>r</sup> John Bayly M<sup>r</sup> John Sandbeach Sam<sup>l</sup> Bingham James Quigly and M<sup>r</sup> James White the Surveyor; and the said Lands contain

Arable pasture and Meadow one thousand two hundred ninety seven acres thirty five perches Plantation measure over and above all deductions for intermixt lands and comon high roads as appeareth by a Table of reference hereunto.

"Surveyed in the month of March 1744 by a scale of 20 p<sup>chs</sup>.

"JA: WHITE."

The tenement marked "House Templers" is a curious indication of the connexion of this town with the Knights Templars, to whom the rectory of Gowran belonged.